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All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.

-- Article 1, Section 1, New Jersey State Constitution

When Feds Say Seize and Desist

By Kelly Patricia O'Meara

State and federal law enforcement say that civil-asset forfeiture is a crucial weapon in the battle against crime, but critics say the laws are a scandal and an outrage.

The Fifth Amendment to the U.S. Constitution states that no person shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Under current civil-asset forfeiture statutes, these guarantees have been undermined. Now, largely due to a public outcry about abuses in enforcing the forfeiture laws by state and federal law enforcement, Congress has passed the Civil Asset Forfeiture Reform Act of 2000. This bipartisan effort has been seen by some critics as a welcome relief, but others say it does not go far enough.

David Smith, deputy chief of the Department of Justice's, or DOJ, Asset Forfeiture Office under the Reagan administration and a defense lawyer in Alexandria, Va., has been a major player in civil-asset forfeiture for nearly two decades and a key negotiator in the Civil Asset Forfeiture Reform Act of 2000. Smith says that the 1984 asset-forfeiture laws were enacted with good intentions to combat the newly declared war on drugs, but the process is out of control. There are far too many horror stories and lives that have been ruined.

Take, for instance, the case of Kathy Schrama, who was accused of stealing \$500 worth of United Parcel Service packages from her neighbor's door-step in New Jersey. Local police took her home, two cars and furniture; they even took her 10-year-old son's Christmas gifts. Schrama pleaded guilty to theft and paid a \$5,000 fine and eventually her home was returned to her.

Then there is the case of Delmar Puryear. Police found 500 marijuana plants growing on the disabled retiree's 37-acre farm in Kentucky. Puryear insisted he had no knowledge of the plants and a jury found him innocent of any criminal wrongdoing, but the federal government refused to drop its efforts to seize the farm until Puryear agreed to pay \$12,000.

While acknowledging abuses have occurred, state and federal law enforcement insist that civil-asset forfeiture is a crucial weapon in the battle against narco-traffickers. A Justice Department official who only would speak on the condition of anonymity tells *Insight* that civil-asset forfeiture helps us keep a lid on the problem. More than half of all the cases are drug related and that money is traceable back to the cartels, it means, say, that \$600 million is taken out of the hands of the criminals. Allowing state and local law-enforcement agencies to keep a portion of the seized profits is a good incentive to have them cooperate with federal officials. It's not the complete solution to the problem, but it has

been the most effective means we've found. And other nations, such as South Africa, the United Kingdom and Ireland, are adopting our system of asset forfeiture because they see that we've made some real headway.

Former Drug Enforcement Administration, or DEA, Agent Wayne Roques has no doubts about the importance of keeping tough asset-forfeiture laws on the books. For most of the kingpins and big dealers the loss of their profits is something they really fear, he says. I have had guys say to me that they didn't mind doing the time, they always expected to get caught, but the one thing they didn't want to see happen was their money to be seized.

And successes there have been virtually every law-enforcement source with whom *Insight* spoke about this issue agreed that the civil-asset forfeiture laws have dealt significant blows to drug kingpins and cartels. But with the successes has come a heavy price for a growing number of innocent people, mostly at the local level, where the gains from seizures represent a huge windfall for city and state law-enforcement agencies.

Ed Meese, says Smith, is a big forfeiture reformer and he was the attorney general who succeeded William French Smith under whom many of the forfeiture laws were enacted. He and others who initially pushed for expansion of asset forfeiture now think it was a big mistake, or at least that they never

dreamed of the excesses that would occur.

According to Smith, This isn't a political issue, it's an economic issue among law-enforcement agencies. It's driven by law enforcement's self-interest in getting the booty, the bounty-hunter mentality. They aren't a disinterested party so it's difficult to think they can be objective.

Rep. Henry Hyde, the Illinois Republican who chairs the House Judiciary Committee and who's a tough law-and-order legislator, long has been troubled by the way asset-forfeiture laws have been enforced. He tells *Insight* that he became aware of the problems associated with civil-asset forfeiture in the early 1990s when he read an op-ed article in the *Chicago Tribune* reporting abuses. Since then, he has been negotiating with the Department of Justice and with state and local law enforcement agencies that appear to have become addicted to the revenue that asset forfeiture provides. Hyde's intervention, combined with a bipartisan effort in the House and the Senate, has resulted in the Civil Asset Forfeiture Reform Act of 2000. It was signed into law on April 25 by President Clinton.

Many of the law's supporters, including Hyde, say it isn't perfect but it does hit at some of the most egregious aspects of the current civil-asset forfeiture laws and it should help to wean law-enforcement agencies from their current dependence.

In his 1995 book, *Forfeiting Our Property Rights*, Hyde warned that a drug war has been perverted too often into a series of frontal attacks on basic American Constitutional guarantees, including due process, the presumption of innocence, and the right to own and enjoy private property. Foremost among the invasions we now witness are unrelenting government assaults on property rights, fueled by a dangerous and emotional vigilante mentality that sanctions shredding the U.S. Constitution.

Strong stuff. And there are numerous examples to justify Chairman Hyde's fighting words. The cases of abuse usually result from excesses by overeager law agencies, generally at the local level, many of

which have huge financial incentives from such seizures. Here's why:

When state and local authorities turn a seizure case over to federal authorities, they are entitled to receive up to 80 percent of the profit after the property has been sold. State and local law enforcement prefer to make asset-forfeiture cases federal because many states have their own forfeiture laws that mandate that profits from sale of seized properties be deposited into the state's general treasury, which more often than not earmarks the funds for specific programs such as education or health care.

As a result of being able to grab substantial assets, local and state authorities can be blinded by the glint of gold at the expense of civil liberties, say critics. Consider what happened to Donald Scott, whose case was instrumental in persuading federal lawmakers of the need for reform. Scott's 200-acre Malibu, Calif., ranch was surrounded by national-park land. He was approached by the National Park Service about selling but declined the offer. In the early-morning hours of Oct. 2, 1992, in the process of serving a search warrant, issued for evidence of marijuana on the property, state and federal agents broke down his door. Facing men with guns drawn, Scott's wife, Frances Plante, begged the officers not to shoot. Scott obeyed their orders and lowered the weapon he had seized in fear of an armed robbery. As he did so, he was shot to death.

A subsequent investigation found no evidence that marijuana ever had been on the property and Ventura County, Calif., District Attorney Michael Bradbury concluded that officers made false statements to obtain the search warrant. The raid was illegal and motivated by forfeiture, he decided. Meanwhile, the Scott home was burned to the ground.

Another classic case of civil-asset forfeiture abuse was uncovered by Jeff Brazil and Steve Berry of the *Orlando Sentinel*. Just off Interstate 95 in Volusia County, Fla., Sheriff Bob Vogel created a special drug squad operating under the 1980 Florida Contraband Forfeiture Act, allowing police to seize cash and property based on probable cause. Any person stopped by the squad carrying more

than \$100 in cash was presumed a drug trafficker. In 1989, cash was confiscated from 83 percent of the drivers stopped but only 19 percent were arrested for alleged crimes. During a three-year period, the Volusia County Sheriff's Department took in a cool \$8 million in cash from motorists. Brazil and Berry won a Pulitzer Prize for their series exposing the abuses.

It literally was highway robbery, says Smith. Some of these people were deprived of their life savings because they happened to be in the wrong place at the wrong time.

When most people first hear of these abuses they say it can't happen in America. People have rights under the Constitution, right? Well, yes and no. Under current civil-asset forfeiture laws the Constitution might as well be confetti, says Hyde. Property simply can be confiscated by alleging that it was purchased with proceeds of crime or used to facilitate crime. In legal jargon the procedure is referred to as *in rem*, against the thing. In other words, the property is charged and presumed to be guilty rather than the person. In fact, according to a 10-month study culminating in a 1991 expose by the *Pittsburgh Press Gazette*, in 80 percent of the cases where property was seized, victims never were charged with a crime.

So it's confiscate first and ask questions later. For example, if you own a rental property and your tenant grows pot without your knowledge, you could lose your property under the civil-asset forfeiture laws because it's not you who is being prosecuted, it is your property that has committed a crime. And, therefore, your property is subject to seizure and forfeiture.

Getting property returned can be a nightmare. First, owners must decide if the assets seized are worth more than what it will cost to hire an attorney and fight a protracted legal battle to prove a negative, namely, that the property is not guilty. If victims decide to fight, they are allowed only 20 days from the date of seizure to post a nonrefundable bond worth 10 percent of the value of the property seized. If they can't afford to post the bond, the property is lost by default. Should the case go to trial, the

government need only prove probable cause and can base its case on hearsay. In many cases informants are used and they may receive 25 percent of the proceeds of successful forfeitures.

When the federal rules change in August, some of these topsy-turvy legal contortions will be eliminated. But many in Congress, as well as some civil libertarians, worry that the continued underlying financial incentives will not slow the rate of seizures.

Former DEA agent John Marcello, a 27-year veteran of the drug wars, argues the Hyde law will have little effect as long as the proceeds find their ways to law enforcement agencies: "Being able to seize the assets of the traffickers is important, but it needs to be part of a bigger strategy, the kingpins and the drugs are ultimately what we want, asset forfeiture perverts our strategies, we end up just thinking about the money and, as long as law-enforcement agencies profit from seizures, they will find a way around the stricter rules." Marcello argues that proceeds should not go to law enforcement but to treatment centers and anti-drug education.

Nearly two dozen federal agencies have forfeiture power, including the DOJ, the FBI, the DEA and Treasury, as well as thousands of state and local police departments. There have been forfeiture laws on the books since the nation's inception but, due to the Fifth Amendment, they rarely were utilized until the United States declared its war on drugs in 1984.

Prior to enactment of the 1984 Comprehensive Crime and Control Act, all revenue generated by a federal civil- or criminal-asset forfeiture was deposited into the U.S. Treasury general fund. With the enactment of the 1984 law, however, federal law enforcement was allowed to keep all proceeds from confiscated property and target the profits to support asset-seizure programs. This system will continue under the 2000 reform act.

According to DOJ figures, 28,421 properties were seized or forfeited in 1996 with a combined value of \$1.264 billion. Justice noted that the lion's share came from civil-forfeiture actions.

The same 1996 DOJ report also said that nearly \$160 million was paid out to state and local law-enforcement agencies under the Equitable Sharing Program. "Allowing law-enforcement officials to keep the proceeds of forfeiture began the war on the private property of innocent Americans, not just the proceeds of the crime or the assets of convicted criminals," says Brenda Grantland, the president of Forfeiture Endangers Americans' Rights, or FEAR. Armed with statutory authorization and no legislative oversight over how they spent it, the popularity of asset forfeiture immediately skyrocketed. It not only gave the police the power to terrorize innocent citizens, it also allowed the police to finance their own new police state out of the property seized, she claims.

And excesses do come with little oversight. Opponents cite the case of a local district attorney in Suffolk County, N.Y., who drives a BMW 735i seized from an alleged drug dealer. That district attorney also appropriated \$3,412 from forfeiture funds to work on the car, including \$75 for pinstriping. Another case cited is the assistant chief prosecutor in Warren County, N.J., who drives a confiscated yellow Corvette.

But it's not only law enforcement that appears to benefit directly from the cash cow of asset forfeiture. Private companies hired by federal and local agencies also gain. For example, EG&G [formerly Westinghouse] is the primary contractor hired by the U.S. Customs Service to help manage its asset-forfeiture program. The company has enjoyed a \$133 million contract for five years; it ends in November. Then there's the DynCorp Co., a multimillion-dollar conglomerate that was awarded its second five-year, \$300 million contract to handle the administrative services and support for the Justice Department's asset-forfeiture program.

Though no one is accusing these companies of wrongdoing, critics of the system point out that huge profits are generated from the programs, sometimes at the expense of innocent victims for whom there are no available government services to help return their property.

But Hyde reminds *Insight* that his bipartisan legislation at least has fixed some of the problems with civil-asset forfeiture. It's a good start, he says. The government now will have to prove by a ***preponderance of the evidence*** that the property is subject to forfeiture, cause ***a much higher standard than the current probable cause***. His new law also eliminates the cost-bond requirement and requires federal prosecutors to show that there is a substantial connection between the property and the crime. Furthermore, the Hyde law will, in certain cases, allow the property to be released by a federal court pending final disposition of a case when the continued possession by the government causes the owner substantial hardship. And the reform also allows property owners to sue the federal government for any damage to the property when the victim of seizure wins in civil-asset forfeiture actions.

Getting these few changes was no small feat. Hyde says: "We struggled for seven years trying to get over the hump of law-enforcement agencies objecting to provisions, complaining that I was trying to help drug dealers and law breakers. The money law enforcement receives from asset forfeiture is addictive and it was an enormous mountain to climb. It took all of these years to reach a point where we could put a bill on the table and say let's go with it."

Was it worth the fight? Hyde tells *Insight*: "I was convinced that this [civil-asset forfeiture] was a Soviet practice, to put the burden of proof on the property owner. The government power is too overwhelming and intimidating. I think if people are convicted drug dealers they should pay but the average forfeiture isn't about drug dealers. This legislation is a huge step in the right direction. But the negotiations on this legislation were interminable and we had to make concessions with Justice to get a bill to sign and we finally got down to a minimum. I told them what I had to have and without it I'd walk away from the bill. The administration never liked the bill so it wouldn't do any good to pass it in Congress if the president was going to veto it. In the end, it's less than perfect, but it's progress."

Smith agrees with Hyde and recalls the long battles with negotiators at the Department of Justice. "I was involved in the previous negotiations with the reformers and the DOJ didn't want to compromise. The negotiators at the DOJ were these zealots from the Asset Forfeiture and Money Laundering Section, whose religion is asset forfeiture. They think the world will come to an end if they can't continue to expand asset-forfeiture powers. The same thing would have happened on this bill if the higher-ups at DOJ hadn't taken the reins and made the key decisions."

While Smith believes that the changes in the laws make it a whole new ball game, he doesn't envision the reduction that is predicted by the DOJ. According to a report done by the Congressional Budget Office, says Smith, "the government is predicting a dramatic drop of up to 40 percent in civil-asset forfeiture cases. I don't think it will be that dramatic, but there will be a significant reduction because of the changes in the law. A lot of small cases may not be worth it anymore because the government can no longer use hearsay, they actually have to bring in witnesses to prove their cases. That gets expensive, and if there's only \$10,000 at stake, it will cost more than it's worth for them to litigate."

The bad news, Smith says, is that law enforcement may pick up the slack of any financial losses by pushing on criminal-asset forfeiture because the rules there have been changed in their favor. He says, these changes substantially reduce a victim's right to a jury trial and create other huge possibilities for unfairness. They are turning it into a sentencing-type proceeding where the government can use hearsay evidence, exactly what we're abolishing in the area of civil forfeiture. This was done in the Advisory Committee on Criminal Rules of the Judicial Conference, because Congress laughed at this proposal and they knew they never would have gotten congressional support. So instead, the government went to the committee of judges and got it done.

Hyde says he is unaware of the changes in criminal-asset forfeiture

raised by Smith but tells *Insight*. It may have to be looked into.

MAYOR OF ROSELAND DIGS IN TO DEFEND HIS BAD LAW

Our lawsuit against Roseland's "Weapons Free Zone" ordinance has generated excellent press, including two articles and one editorial in the *Star Ledger*, a *New York Times* article, and TV coverage on *News 12* and *NJN*.

At first, [Republican] Mayor Louis DeBell tried to defend his ordinance as simply an educational tool designed to make people aware--of what I'm not sure. When it was pointed out to the Mayor that he passed a law that is supposed to be enforced, he changed his tune. He now claims he wants to "show [that] Roseland is concerned about gun violence." He even told one reporter that there was some violent incident, in some park, somewhere in New Jersey, and he wants to make sure that this doesn't happen in Roseland. (*Blah, blah, blah*)

DeBell's lawyer is trying to make the case that the ordinance is simply an extension of state law. But it's not, and as our lawsuit states Roseland has overstepped its legislative authority by passing a law pertaining to the possession of firearms.

We have gotten welcome support in opposition to the legislation. The *Star Ledger* (7/27/00) quoted David A. Ruhnke, President of the Association of Criminal Defense Attorneys of New Jersey: "It's a piece of feel-good legislation. It will basically do nothing. I suppose it's good for votes, but it's not good legislation, and it's not going to stop anyone from carrying a weapon in Roseland."

The next day the *Star Ledger* ran an editorial, "A Misfire in Roseland" (7/28/00):

"...Its ordinance banning guns within 1,000 feet of a school or 500 feet of a park or other town land shows why feel-good laws so often create sound and fury while solving nothing... By extending the 'weapons and firearms fee zones' out up to 1,000 feet, it sweeps in law-abiding gun owners who happen to live in the area

or are driving through... The borough attorney says even though there are no exceptions written into the measure, it is meant to be applied 'reasonably.' That doesn't reassure gun owners, who have lodged the inevitable legal challenge...

"...But the average citizens aren't stopping by Roseland's parks and other public property with their shotguns or deer rifles casually stashed in the SUVs now. As for crooks, nuts or sociopaths, a gun-free zone of any size won't do much.

"The borough council obviously wanted to send a message. Unfortunately, the symbolism of this move can't mask the lack of substance."

The major obviously protested, and the next day the *Star Ledger* ran an article entitled, "Mayor fires back..." But, we think the Mayor has seriously misfired.

On Wednesday, August 2, 2000, our attorney Edward Zohn file an order to show cause asking the judge to set a date for a hearing on our case.

Tell Mayor DeBell: *Please don't waste taxpayer's money and try to defend a bad law. Repeal the ordinance. If you are concerned with firearm safety, we will help you develop a firearm safety education program.*

-- NJ Association of Rifle and Pistol Clubs E-mail Alert

GOODBYE TO GOVERNOR TORRICELLI!

Senator Robert Torricelli's campaign for governor was one of the most short-lived in New Jersey's history. Not only is Torricelli widely described as one of the most disliked politicians by his own Democratic Party colleagues, the *New York Times* (7/22/00) reported that his senatorial campaign is being investigated for campaign finance violations.

Last year, Torricelli's former law partners Carmine Alampi, and Berek P. Don, the Bergen County Republican leader, pleaded guilty to illegally reimbursing their employees with \$11,000 from David Chang that they gave to Mr. Torricelli's campaign. (Chang is a NJ businessman who has pleaded guilty to campaign finance violations.) How's that for bi-partisan cooperation!

According to the *Times*, another Torricelli supporter, Lawrence Penna, a Hackensack stockbroker also pleaded guilty last year to making \$20,000 in illegal contributions to the Torricelli campaign and \$12,000 in illegal contributions to President Clinton... Penna also pleaded guilty to illegally manipulating the stock price of a pharmaceutical company that defrauded investors of millions of dollars, in a deal in which Torricelli's blind trust made a one-day profit of \$50,000."

How did Torricelli respond to these allegations? He said, "It's impossible given the size of these campaigns to ensure that somebody doesn't reimburse a contributor."

Good riddance as would-be governor, Mr. Torricelli. Too bad you're still in the U.S. Senate.

TRIGGER LOCKS CAUSE MISFIRES

Hamilton and other towns handed out hundreds of defective trigger locks this year through a so-called gun safety program.

Master Lock Co. of Milwaukee recalled about 752,000 gun locks. The locks can be manually separated without a key. The Hamilton program was "no questions asked," so they have no way of knowing who were given the defective locks.

The locks had printed on them: "Master Lock tough under fire" and "Made to exclusive Master Lock specifications in China." (So, what do you expect!)

Of course, the locks also read, "Warning, do not use on a loaded gun."

Ahh our gobment hard a work. Ed.

Gun Dealers Face Federal Charges

Background checks skirted, police say

By Jim Schoettler, *Times-Union*

Five Jacksonville gun dealers were arrested yesterday after being accused of selling guns without asking for information needed to ensure the buyers weren't convicted felons or otherwise not eligible.

The men, three of whom own local gun shops, are accused of breaking federal law by selling 31 guns in a "straw purchase" scheme. A

straw purchase occurs when the gun buyer uses someone else to fill out a federal firearms transaction form because he may be prohibited from buying the weapon, said U.S. Attorney Donna Bucella.

Authorities said the seven-month investigation involved undercover purchases by two men who went into gun dealerships, bought firearms and indicated that someone else would fill out the paperwork. Such information as the name, age and place of residence of the two men wasn't recorded by the people who sold the weapons, court records said.

Those arrested were: Wayne Miller, 55, owner of Southside Guns II; Jim Rose, 63, owner of Cassat Gun; Jim Webb, 62, owner of American Gold Exchange; Abe Farhat, 39, employee of Green Acres Sporting Goods; and Harvey Branch, 62, an employee of Fox Jewelry & Loan.

Webb was charged with three counts of violating federal firearms laws, while the others were charged with four counts. Each count carries a maximum of five years in prison and \$250,000 fine if convicted. The men were released on \$10,000 bond.

Ralph C. Ostrowski, special agent in charge of the Bureau of Alcohol, Tobacco and Firearms, said the arrests should send a message that federally licensed gun dealers need to obey the law. He said there are about 3,100 such dealers in Florida.

"A federally licensed gun dealer's access to large numbers of firearms makes them a particular threat to public safety when they fail to comply with the law," Ostrowski said.

None of the gun dealers could be reached to comment. But Jacksonville attorney Hank Coxe, who is representing Miller, said he was surprised by the arrests.

"I find it absolutely intriguing that all of a sudden five very reputable businessmen in this community can all suddenly be accused of committing crimes," Coxe said. "I find that impossible to believe."

The Jacksonville Sheriff's Office and State Attorney's Office assisted in the investigation.

Aussies Advance Toward Police State

By Tanya Metaska

They said it would and could never happen in a country with a constitution and a 97-year-old law that required the federal government to seek permission from a state before sending in federal troops. Yet, the Australian federal government will have almost unlimited powers and will be able to unilaterally send in federal troops to quell disturbances without any coordination from state government.

This is happening in a country with a democratically elected government. The legislation passed parliament with bipartisan support amid little fanfare in the Australian press, let alone the world press. Prime Minister John Howard is working very hard to ensure that the bill becomes law before the start of the Sydney Olympic games, Sept. 15, 2000.

The legislation would modify the present Australian constitution, which states, "The Commonwealth shall protect every State against invasion and, on the application of the Executive Government of the State, against domestic violence."

According to Australian Senator Bob Brown writing in the *Sydney Morning Herald*, "The Defense Legislation Amendment (Aid to Civilian Authorities) Bill 2000 authorizes the Prime Minister to call out the armed services where 'domestic violence' is occurring or is 'likely to occur.'" Australia Defense Minister John Moore has acknowledged that justification for the legislation is two-fold: The 2000 Sydney Olympics and the World Economic Forum coming up in Melbourne. However, in a letter to the editor in the *Sydney Morning Herald*, he adds, "The Government has been working on this bill for some time and believes that the measures are desirable regardless of the impending Games."

Although the legislation has stirred the emotions in Australia, it is hard to believe that a people who allowed the government to ban most guns, will be able to stop the passage of Bill 2000, a bill that gives the government the authority to fire upon their own citizens.

The legislative history of Bill 2000 is similar to the manner in which the government rammed through the Australian gun law of 1996. At that time the architect of the gun prohibition and buyback, Prime Minister John Howard, promised a "safer society." The destruction of 600,000 legally owned firearms from tens of thousands of honest law-abiding citizens cost the taxpayers 500 million Australian dollars and has certainly not made any Australian safer.

The Sport Shooting Association of Australia, the National Rifle Association and others have pointed out that as a result of the 1996 Australian Gun Law crime has risen in that country. The NRA has even run television infomercials about the crime situation in Australia. Howard took umbrage at the ads and accused the NRA of "lies" and "distortions." In a *WorldNetDaily* article in March, Jon Dougherty revealed how the Australian government crime figures proved that crime, with the exception of homicide, had gone up in all categories and the only one distorting the crime figures was Prime Minister John Howard. So much for a safer society!

Now Mr. Howard is promoting another draconian law with another lie. This time he says he is only going after terrorists. According to Toni O'Loughlin of the *Sydney Morning Herald*, "Mr. Howard said the proposed laws were 'primarily aimed at terrorism,' not political protests, as Australian Greens Senator Bob Brown, the Democrats, civil libertarians and unions have claimed. 'Of course it's not aimed at civil disobedience,' Mr. Howard told Brisbane radio."

However, the newspaper summary of the bill stated, "The Defense Legislation Amendment (Aid to the Civilian Authorities) Bill 2000 will give the defense forces powers to search and detain people, seize property and use 'reasonable force' if the Federal or State governments considered the police force incapable of controlling an outbreak of 'domestic violence' or where the Commonwealth's interests were threatened."

Thus a leader of a democratic nation supports legislation that strips away peoples' right to peacefully protest their government and gives armed soldiers the right to shoot civilians upon the decision that something is "likely to occur."

According to the *London Times* the organizers of the Olympic games and the World Economic Forum are expecting some 90,000 protesters. Under this bill if those three government ministers decide that a demonstration or protest may include "domestic violence," the streets of Sydney or Melbourne may be quickly filled with Australian soldiers ready and able to shoot to kill.

In a letter to the editor Sam Lee of the Coalition for Gun Control exposes his "naiveté" and lack of understanding of John Howard's motivation. He writes, "Surely this bill fails to complement the move towards tighter gun laws and greater public safety in this country. Countries that promote themselves as peace-loving and non-violent societies do not allow military powers to become involved in civilian affairs and do not take away people's right to protest. Governments that introduce tight firearm laws in order to increase public safety should not then pass a bill that will allow for greater use of military weapons in the name of public safety."

What Sam Lee doesn't understand is that the debate is not about firearms and gun laws; it's about freedom. When John Howard wore a bulletproof vest in front of a rally by gun owners in 1996, gun owners understood Howard's motivation. When a politician doesn't trust the people with guns, the politician doesn't trust anyone, not even gun prohibitionist like Sam Lee!

Freedom is rarely lost quickly; it's lost slowly. It's lost as citizens give up their inalienable rights one by one for the promise of safety from the state. If it can happen in one democracy, it can happen in all. Freedom is hard to win, but easily lost.

Suggested Award for INS Agents Who Seized Elian Gonzalez

To be awarded Aug. 14-15 at the Federal Law Enforcement Center in Glynco, Georgia

Outstanding Storm Trooper's Award

For service above and beyond the constitution,
For valor, courage, and heroism is the face of an unarmed six year old boy,
For resisting the temptation to be governed by any moral principles,
For dressing in black and getting up before sunrise,
For disregarding a court order not to seize Elian,
For clubbing and macing reporters on the scene,
For showing the world that refugees from tyranny would be safer accepting their oppression,
For all of these things, and for any other justification that we may think of at any time in the future.

The Department of Injustice hereby declares that:

The 114 Fearless Federal Agents who participated in the heroic pre-dawn raid that snatched Elian Gonzalez from his family's arms

Are OUTSTANDING STORM TROOPERS OF THE MONTH

SIGNED: Ms. Meissner,
Commissioner, Immigration and Naturalization Service

ATTEST: Janet Reno, Attorney General

Quotable Quotes

But select capable men from all the people -- men who fear God, trustworthy men who hate dishonest gain -- and appoint them as officials over thousands, hundreds, fifties and tens. -- Exodus 18:21

In general the art of government consists in taking as much money as possible from one class of citizens to give to the other.
--Voltaire